



Order Filed on January 22, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

*Caption in Compliance with N.J. LBR 9004-1*

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In re:

**HITESHRI PATEL**

Chapter 11 Debtor and Debtor-in-Possession

Honorable Kathryn C. Ferguson

Chapter 11

Case No. 20-17880-KCF

**STIPULATION AND CONSENT ORDER AUTHORIZING WEST VALLEY  
NATIONAL BANK TO FILE A LATE PROOF OF CLAIM**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby

**ORDERED.**

**DATED: January 22, 2021**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

**Debtors:** In re: Hiteshri Patel  
**Case No.:** 20-17880 (KCF)  
**Page #:** 2  
**Caption:** Stipulation and Consent Order Authorizing West Valley National Bank to File a Late Proof of Claim

This Stipulation and Consent Order (the “Stipulation and Consent Order”) is made and entered into on the 8th day of January, 2021, by and between Hiteshri Patel, the Chapter 11 Debtor and Debtor-in-Possession (the “Debtor”) and West Valley National Bank (the “Claimant”) (the Debtor and the Claimant shall be collectively referred to herein as the “Parties”), by and through counsel for the Parties.

WHEREAS, on June 25, 2020 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of Title 11 (Subchapter V) of the United States Bankruptcy Code (the “Bankruptcy Code”).

WHEREAS, on July 24, 2020, the Debtor filed an amended Form 101 Voluntary Petition [Docket No. 37] and Certification in Support [Docket No. 38], which “unelected” her Subchapter V status and changed the status of her bankruptcy proceeding to a Standard Chapter 11.

WHEREAS, in the Debtor’s initial Schedule D (Creditors Who Have Claims Secured by Property), the Debtor listed “US Small Business Administration” as a creditor with a claim of \$596,456.53 secured by four properties, (i) 223 Gordons Corner Road, Marlboro, NJ 07746, (ii) 164 Beach Avenue, Jersey City, NJ, (iii) 714 S. Halliday St., Anaheim, CA, and (iv) 18885 NW Park Ridge, Beaverton, OR [legal description of Lot 33, Parks at Tanasbourne, in the City of Hillsboro, County of Washington and State of Oregon] (collectively, the “Properties”). [Docket No. 1 at page 28-29 of 62].

WHEREAS, on September 21, 2020, the Debtor filed an amended Schedule D and listed the Claimant as “Others to Be Notified for a Debt That You Already Listed,” referencing the scheduled entries pertaining to the US Small Business Administration.

**Debtors:** In re: Hiteshri Patel  
**Case No.:** 20-17880 (KCF)  
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**Caption:** Stipulation and Consent Order Authorizing West Valley National Bank to File a Late Proof of Claim

WHEREAS, on or about July 17, 2017, the Claimant extended a loan (the ‘Loan’) in the principal amount of \$750,000.00 through the U.S. Small Business Association, to Shardanu Pizza Prs1, Inc., A California Corporation and Shardanu Pizza Prs2, Inc., A California Corporation (jointly, the ‘Borrowers’), which obligations were guaranteed by the Debtor and her husband, Himanshu Patel, and secured by the Properties.

WHEREAS, the Claimant is a secured creditor of the Debtor.

WHEREAS the Deadline for Filing Claims (the ‘Bar Date’) expired on September 3, 2020, prior to the Debtor amending her schedules on September 21, 2020,

WHEREAS, Claimant retained counsel after it was provided with notice that the Bar Date had already passed, such that Claimant was not able to timely file a proof of claim.

NOW, THEREFORE, the Parties hereby stipulate and agree and the Court hereby ORDERS as follows:

Claimant shall, within ten days of entry of this Order, execute and file a proof of claim with the Clerk of the United States Bankruptcy Court for the District of New Jersey in this bankruptcy proceeding, and same shall be considered timely filed.

**Debtors:** In re: Hiteshri Patel  
**Case No.:** 20-17880 (KCF)  
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**Caption:** Stipulation and Consent Order Authorizing West Valley National Bank to File a Late Proof of Claim

Dated: January 12, 2021

**CONSENTED TO AS TO FORM AND ENTRY:**

MIDDLEBROOKS SHAPIRO, P.C.

McELROY, DEUTSCH, MULVANEY &  
CARPENTER, LLP

/s/ Melinda Middlebrooks  
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*Counsel for Debtor and Debtor-in-Possession,  
Hiteshri Patel*

*Counsel for Creditor, West Valley National  
Bank*

In re:  
Hiteshri Patel  
Debtor

Case No. 20-17880-KCF  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Jan 22, 2021

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 24, 2021:

Recip ID	Recipient Name and Address
db	+ Hiteshri Patel, 223 Gordons Corner Road, Marlboro, NJ 07746-1257

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 24, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 22, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor MATRIX FINANCIAL SERVICES CORP. dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gary D. Bressler	on behalf of Creditor West Valley National Bank gbressler@mdmc-law.com scarney@mdmc-law.com;dprimack@mdmc-law.com;bkleban@mdmc-law.com
James N. Lawlor	on behalf of Creditor NFS Leasing Inc. jlawlor@wmd-law.com
Joseph Francis Pacelli	on behalf of Creditor NFS Leasing Inc. jpacelli@wmd-law.com
Lauren Bielskie	on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov
Melinda D. Middlebrooks	

District/off: 0312-3

User: admin

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Date Rcvd: Jan 22, 2021

Form ID: pdf903

Total Noticed: 1

on behalf of Debtor Hiteshri Patel middlebrooks@middlebrooksshapiro.com melindamiddlebrooks@gmail.com

Nicole M. Nigrelli

on behalf of Trustee Nicole M. Nigrelli nnigrelli@ciardilaw.com sfrizlen@ciardilaw.com;dtorres@ciardilaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8